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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 94247; 58898

In re patent application of

David J. BOVA

U.S. Serial No. 08/368,378

Group Art Unit: 1502

Filed: June 14, 1995

Examiner: J. Venkat

For: NICOTINIC ACID COMPOSITIONS FOR TREATING HYPERLIPIDEMIA AND  
RELATED METHODS THEREOF

**AMENDMENT AND RESPONSE UNDER 37 CFR §1.116**

Hon. Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

Sir:

In response to the office action mailed November 27, 1995, the period for response having been extended by the accompanying petition for extension of time and fee, applicant requests that the PTO amend the above-identified application in the manner detailed below.

**IN THE CLAIMS:**

Please rewrite the following claims:

1. (Twice amended) A method of treating hyperlipidemia in a hyperlipidemic comprising dosing the hyperlipidemic with an effective antihyperlipidemic amount of nicotinic acid once per day in the evening or at night, wherein said nicotinic acid is combined with at least one pharmaceutically acceptable carrier [,to produce a reduction in total and LDL cholesterol, triglycerides and Lp(a), with a significant increase in HDL cholesterol] to form an oral solid dosage form.